

ENTERED

April 01, 2025

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

DENNIS WAYNE JOHNSON,

Plaintiff,

V.

MARTIN O'MALLEY,

Defendant.

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CIVIL ACTION NO. 2:23-CV-00255


ORDER ADOPTING MEMORANDUM & RECOMMENDATION

Before the Court is Magistrate Judge Julie K. Hampton's Memorandum and Recommendation ("M&R"). (D.E. 16). The M&R recommends that the Court grant Plaintiff's motion for attorney fees. *Id.* at 1–2. The parties were provided proper notice of, and the opportunity to object to, the Magistrate Judge's M&R. *See* 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b); General Order No. 2002-13. No objection has been filed.

When no objection has been filed, the district court need only determine whether the M&R is clearly erroneous or contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989) (*per curiam*).

Having reviewed the proposed findings and conclusions of the Magistrate Judge, the parties' filings, the record, and the applicable law, and finding that the M&R is not clearly erroneous or contrary to law, the Court **ADOPTS** the M&R in its entirety. (D.E. 16). Accordingly, the Court **GRANTS** Plaintiff's motion. (D.E. 15). As Plaintiff is the prevailing party, the Court **AWARDS** Plaintiff's attorney a sum of \$8,983.20 in attorney fees and \$402 in costs. The attorney fee award shall be made payable to Plaintiff, Dennis Wayne Johnson, and mailed in care of his attorney, David F. Chermol, Chermol & Fishman LLC, 11450 Bustleton Avenue, Philadelphia, PA 19116.

SO ORDERED.



DAVID S. MORALES
UNITED STATES DISTRICT JUDGE

Signed: Corpus Christi, Texas
April 1st, 2025